

TM:JDG
F. #2008R01599

M-09-740

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

TO BE FILED UNDER SEAL

- against -

AFFIDAVIT IN SUPPORT
OF APPLICATION FOR
ARREST WARRANT

DMITRIY YAKOVLEV,
also known as
"Dmitri Yakovlev,"
"Dimitri Yakovlev," and
"Dimitriy Yakovlev," and
JULIA YAKOVLEV,
also known as
"Ioulia Sotcilina,"
"Julia Sotcilina," and
"I. Sotcilina,"

(T. 15, U.S.C., § 1644;
T. 18, U.S.C., § 1344)

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

ALEXEY ABRAHAMS, being duly sworn, deposes and says
that he is a Special Agent with the Federal Bureau of
Investigation ("FBI"), duly appointed according to law and acting
as such.

In or about and between October 1, 2007 and November 1,
2007, both dates being approximate and inclusive, within the
Eastern District of New York and elsewhere, the defendants
DMITRIY YAKOVLEV, also known as "Dmitri Yakovlev," "Dimitri
Yakovlev," and "Dimitriy Yakovlev," and JULIA YAKOVLEV, also
known as "Ioulia Sotcilina," "Julia Sotcilina," and "I.
Sotcilina," did knowingly and unlawfully execute a scheme or

artifice to defraud financial institutions and to obtain moneys, funds, credits, assets and other property under the custody and control of said financial institutions, to wit: Citibank and Discover Bank, among others, by means of false and fraudulent pretenses, representations and promises.

(Title 18, United States Code, Section 1344).

On or about and between October 1, 2007 and November 1, 2007, within the Eastern District of New York and elsewhere, the defendants DMITRIY YAKOVLEV, also known as "Dmitri Yakovlev," "Dimitri Yakovlev," and "Dimitriy Yakovlev," and JULIA YAKOVLEV, also known as "Ioulia Sotcilina," "Julia Sotcilina," and "I. Sotcilina," did knowingly and intentionally use and conspire to use stolen and fraudulently obtained credit cards to obtain money, goods, services and other things of value aggregating \$1,000 or more within a one-year period, in transactions affecting interstate commerce.

(Title 15, United States Code, Section 1644(a)).

The source of your affiant's information and the grounds for his belief are as follows:

1. I have been a Special Agent with the FBI since 2004. In that time, I have been involved in numerous investigations and prosecutions involving various types of fraud, including bank fraud, credit card fraud and check fraud. In the course of those and other investigations, I have conducted

physical surveillance, supervised or participated in undercover transactions, executed search warrants, debriefed cooperating defendants and confidential informants, reviewed various records, including, among other records, bank records and credit card records, and secured other relevant information using other investigative techniques.

2. I have personally participated in the investigation of the offenses discussed below. I am familiar with the facts and circumstances of this investigation from, among other things: (a) my personal participation in this investigation, (b) reports made to me by other law enforcement authorities, (c) discussions with other law enforcement agents involved in this investigation, and (d) my review of video and photographic surveillance and other information provided by the banks and retail stores involved in the investigation.

3. Except as explicitly set forth below, I have not distinguished in this affidavit between facts of which I have personal knowledge and facts of which I have hearsay knowledge. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the arrest of the above-specified defendants, I have not set forth each and every fact learned during the course of this investigation. Instead, I have set forth only those facts which I believe are necessary to establish probable cause for the warrants sought herein.

4. On or about October 15, 2007, at approximately 1:00 p.m., a woman whose identity is known to the United States ("Jane Doe #1"), was captured on a security video camera leaving her apartment building located in Brooklyn, New York. Jane Doe #1 has not been seen by family, friends, neighbors or co-workers since that date. Approximately three weeks later, on November 8, 2007, a Missing Person Report for Jane Doe #1 was filed with the New York City Police Department ("NYPD"). I have reviewed photographs of Jane Doe #1, and have reviewed various descriptions of her provided by others. Jane Doe #1 is a white woman in her late forties, with long dark hair often worn in a braid. Jane Doe #1 is short in stature and of medium build.

5. On or about October 15, 2007, four checks were deposited into a joint Citibank bank account in the names of "Dmitri Yavkovlev" and "Ioulia Sotcilina," with account number #XXXX9109 (the "Yakovlev/Sotcilina Joint Bank Account").¹ The address of the account holders of the Yakovlev/Sotcilina Joint Bank Account is 4614 Surf Avenue, Brooklyn, New York. All four checks were deposited at the same time at a Citibank automated teller machine ("ATM") located on Mermaid Avenue in Brooklyn, New York. The four checks deposited into the Yakovlev/Sotcilina Joint Bank Account on October 15, 2007 are detailed below.

¹ The account numbers set forth herein have been partially redacted. The full account numbers are known to the United States.

a. A check dated October 14, 2007 and bearing check number 601 was drawn on Citibank account number XXXX9089, an account in the name of Jane Doe #1 (the "9089 Citibank Bank Account"). This check was made payable to "Dmitriy Yakovlev" in the amount of \$4800.00 and was deposited into the Yakovlev/Sotcilina Joint Bank Account. The check is purportedly signed by Jane Doe #1. In the course of this investigation, I have reviewed various records of Jane Doe #1, including account opening documentation prepared in connection with her Citibank accounts, which include Jane Doe #1's signature. Based on my review, it appears that the signature on check number 601 is plainly dissimilar to the signature of Jane Doe #1 that I have reviewed on various other documents.

b. A check dated October 14, 2007 and bearing check number 103 was drawn on Citibank account #XXXXXX9011, another Citibank account in the name of Jane Doe #1 (the "9011 Citibank Bank Account"). This check was made payable to "Cash" in the amount of \$1200.00 and was deposited into the Yakovlev/Sotcilina Joint Bank Account. The check was also purportedly signed by Jane Doe #1. That signature, however, is plainly dissimilar to the signature of Jane Doe #1 with which I am now familiar based on my review of various other documents.

c. A check dated October 12, 2007 was drawn on the Citibank account of a business called "Legal World

Interpreting, Ltd.," located in New York, New York. Legal World Interpreting, Ltd. was an employer of Jane Doe #1 before her disappearance. The check was made payable to Jane Doe #1 in the amount of \$440.00 and was deposited into the Yakovlev/Sotcilina Joint Bank Account. The reverse side of the check was endorsed in the following manner: "pay to the order [to] I. Sotcilina," and was purportedly signed by Jane Doe #1. The handwriting of both the endorsement and the signature, however, is plainly dissimilar to the signature of Jane Doe #1 with which I am now familiar.

d. A check dated October 9, 2007 was drawn on the AmSouth Bank account of "Protocol Translation and International Services," located in Orlando, Florida. The check was made payable to Jane Doe #1 in the amount of \$35.00 and was deposited into the Yakovlev/Sotcilina Joint Bank Account. The reverse side of the check was endorsed in the following manner: "pay to the order [to] I. Sotcilina," and was purportedly signed by Jane Doe #1. The handwriting of both the endorsement and the signature, however, is plainly dissimilar to the signature of Jane Doe #1 with which I am now familiar.

6. On or about October 16, 2007, Discover Bank ("Discover") received telephone calls from an individual purporting to be Jane Doe #1 and using a telephone connected with Jane Doe #1. The individual purporting to be Jane Doe #1 sought

to obtain, and subsequently received, authorization to use a Discover credit card account in the name of Jane Doe #1, with account number XXXX XXXX-XXXX-4113 (the "4113 Discover Credit Card Account"), to withdraw cash from ATMs.

7. In addition, on or about October 16, 2007, five purchases were made using credit card accounts in the name of Jane Doe #1. These credit card transactions are detailed below.

a. A cash advance in the amount of \$502.00 was withdrawn from a Citibank ATM located in Brooklyn, New York. The advance was drawn on Discover Card account number XXXX-XXXX-XXXX-9782, an account in the name of Jane Doe #1 (the "9782 Discover Card Credit Account").

b. A cash advance in the amount of \$502.00 was withdrawn from a Citibank ATM, located in Brooklyn, New York. The advance was drawn on the 4113 Discover Card Account.

c. A purchase was made at the Century 21 retail department store, located at 472 86th Street, Brooklyn, New York ("Century 21 Brooklyn") on the 4113 Discover Credit Card Account. The total purchase was in the amount of \$1146.12.²

d. An additional purchase was made at Century 21 Brooklyn, on a Citibank credit card, with account number XXXX-XXXX-XXXX-7368, an account in the name of Jane Doe #1 (the "7368

² Discover Card records reveal that this transaction, which was made on or about October 16, 2007, posted to the 4113 Discover Card Account on or about October 17, 2007.

Citibank Credit Card Account"). The total purchase was in the amount of \$1059.94.

e. A purchase was made at a Linens n Things retail department store located in Brooklyn, New York, on the 7368 Citibank Credit Card Account. The total purchase was in the amount of \$826.05.

8. On or about and between October 17, 2007 and October 22, 2007, credit card accounts in the name of Jane Doe #1 were used to purchase two watches from a jewelry dealer in Brooklyn, New York (the "Brooklyn Jewelry Dealer"). On or about October 17, 2007, the Brooklyn Jewelry Dealer and the individual purporting to be Jane Doe #1 met at the Brooklyn Jewelry Dealer's residence, which is located in Brooklyn, New York. The Brooklyn Jewelry Dealer later described the individual purporting to be Jane Doe #1 as a white woman in her mid-thirties, with a thin build and with short blond hair.

9. During the meeting with the Brooklyn Jewelry Dealer on or about October 17, 2007, the individual purporting to be Jane Doe #1 presented the Brooklyn Jewelry Dealer with two Discover credit cards - a card bearing the 9782 Discover Credit Card Account number, and a card bearing the 4113 Discover Credit Card Account number. The individual purporting to be Jane Doe #1 also presented the Brooklyn Jewelry Dealer with a Social Security Card in the name of Jane Doe #1 as a means of identification.

The Brooklyn Jewelry Dealer photocopied the credit cards and the Social Security card. I have confirmed that the Social Security Number on the card photocopied by the Brooklyn Jewelry Dealer is the Social Security Number belonging to Jane Doe #1.

10. On or about and between October 17, 2007 and October 22, 2007, the Brooklyn Jewelry Dealer sold the individual purporting to be Jane Doe #1 two watches: a men's Franck Muller "Master Banker" watch and a lady's Franck Muller "Curvex" watch. The individual purporting to be Jane Doe #1 used three credit cards in the name of Jane Doe #1 to purchase the two watches:

a. A Citibank bank account, with account number XXXX-XXXX-XXXX-2178, in the name of Jane Doe #1 (the "2178 Citibank Credit Card Account") was used to make a payment of \$5000.00 to Hourglass Trading, a jewelry business associated with the Brooklyn Jewelry Dealer located in Voorhees, New Jersey. Citibank credit card records reveal that this transaction posted to the 2178 Citibank Credit Card Account on October 17, 2007.

b. The 2178 Citibank Credit Card Account was also used to make a payment of \$1545.00 to Hourglass Trading. Citibank credit card records reveal that this transaction posted to the 2178 Citibank Credit Card Account on October 19, 2007.

c. The 7368 Citibank Credit Card Account was used to make a payment of \$5665.00 to Hourglass Trading.

Citibank credit card records reveal that this transaction posted to the 7368 Citibank Credit Card Account on October 19, 2007.

d. The 9782 Discover Credit Card Account was used to make a transfer of \$4000.00 to an MBNA credit card account in the name of the Brooklyn Jewelry Dealer. Discover credit card records reveal that this transaction posted to the 9782 Discover Credit Card Account on October 22, 2007.

11. On or about October 19, 2007 at approximately 9:30 p.m., credit card accounts in the name of Jane Doe #1 were used to make three purchases at the Century 21 retail department store located at 1085 Old Country Road, Westbury, New York ("Century 21 Westbury"). These credit card transactions are detailed below.

a. The 9782 Discover Credit Card Account was used to make a purchase of \$735.53.

b. The 4113 Discover Card Account was used to make separate purchases of \$1412.09 and \$866.51.

12. A surveillance video taken at the time of the above-described purchases made at Century 21 Westbury reveals a white woman with shoulder-length blonde hair in her mid-thirties with a slim build, accompanied by a white male with short brown hair (and receding hair line) and a medium build, wearing glasses. On or about January 18, 2008, this video surveillance was shown to the Brooklyn Jewelry Dealer and the Brooklyn Jewelry Dealer's spouse, who was present when the Brooklyn Jewelry Dealer

met with the woman purporting to be Jane Doe #1. Both the Brooklyn Jewelry Dealer and the spouse identified the woman depicted in the surveillance video as the woman who had purported to be Jane Doe #1 and to whom the Brooklyn Jewelry Dealer sold the watches.

13. On or about October 19, 2007, a check dated October 17, 2007 and bearing check number 104 was drawn the 9011 Citibank Bank Account. This check was made payable to "Dmitriy Yakovlev," in the amount of \$3200.00, and was purportedly signed by Jane Doe #1. The reverse side of the check was endorsed by "Dimitriy Yakovlev." The handwriting on the face of the check and the signature, however, is plainly dissimilar to the signature of Jane Doe #1 with which I am now familiar. Moreover, account records of the Yakovlev/Sotcilina Joint Bank Account reveal that an aggregate deposit of \$4800.00 was made into that account on or about October 19, 2007.

14. In addition, on or about October 19, 2007 at approximately 4:00 p.m., the 4113 Discover Credit Card Account was used to make a cash advance withdrawal of \$501.75 from an ATM at an HSBC Bank located at 2301 86th Street, in Brooklyn, New York.³

³ Discover Card records reveal that this transaction posted to the 4113 Discover Credit Card Account on or about October 20, 2007.

15. On or about October 20, 2007, the 9782 Discover Credit Card Account was used to make a cash advance withdrawal of \$502.50 from an ATM at a Commerce Bank located in Brooklyn, New York.⁴ A still surveillance photograph taken at the time of this cash advance withdrawal depicts a the same white woman captured on the Century 21 Westbury surveillance video.

16. On or about October 23, 2007, two cash advance withdrawals were made from ATM locations using credit cards in the name of Jane Doe #1. The 4113 Discover Credit Card Account was used to make a cash withdrawal of \$501.75 from an ATM at an HSBC branch located in Brooklyn, New York. The 9782 Discover Credit Card Account was used to make a cash withdrawal of \$502.50 from an ATM at a Commerce Bank located in Brooklyn, New York.

17. On or about October 24, 2007, the 9782 Discover Credit Card Account was used to make purchases at two retail store locations. First, the 9782 Discover Credit Card Account was used to make a purchase of \$250.00 at a Marshall's retail store located in Brooklyn, New York. In addition, the 9782 Discover Credit Card Account was used to make a purchase of \$340.37 at a Key Foods grocery store located in Brooklyn, New York.

⁴ Discover Card records reveal that this transaction posted to the 9782 Discover Credit Card Account on or about October 20, 2007.

18. I have reviewed the surveillance video taken on or about October 19, 2007 at Century 21 Westbury as well as the still photograph taken at the time of the ATM withdrawal at the Commerce Bank located in Brooklyn, New York on or about October 20, 2007. (See ¶ 12). I have also reviewed various photographs of the defendants DMITRIY YAKOVLEV and JULIA YAKOVLEV, including photographs on file with the New York State Department of Motor Vehicles. I have determined that the defendants DMITRIY YAKOVLEV and JULIA YAKOVLEV are the two individuals depicted in the Century 21 Westbury surveillance video, and that the defendant JULIA YAKOVLEV is the woman depicted in the surveillance photograph taken at the Commerce Bank.

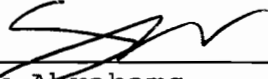
19. I have reviewed various records related to 4614 Surf Avenue, Brooklyn, New York, the address of the account holders of the Yakovlev/Sotcilina Joint Bank Account. Records reveal that the defendants DMITRIY YAKOVLEV and JULIA YAKOVLEV reside at that residence. Moreover, both myself and other law enforcement agents have conducted physical surveillance at that location, and have observed both defendants DMITRIY YAKOVLEV and JULIA YAKOVLEV there.

20. I have also reviewed records provided by United States Immigration and Customs Enforcement. No records reveal

that Jane Doe #1 either left the country or was scheduled to leave the country in Fall 2007 or thereafter.

21. Citibank, Discover and AmSouth Bank are financial institutions that are insured by the Federal Deposit Insurance Corporation.

WHEREFORE, your affiant respectfully requests that an arrest warrants be issued for DMITRIY YAKOVLEV, also known as "Dmitri Yakovlev," "Dimitri Yakovlev," and "Dimitriy Yakovlev," and JULIA YAKOVLEV, also known as "Ioulia Sotcilina," "Julia Sotcilina," and "I. Sotcilina." Furthermore, your affiant respectfully requests that this affidavit be filed under seal.



Alexey Abrahams
Special Agent
Federal Bureau of Investigation

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23

Hc
~~United States Magistrate Judge~~
Eastern District of New York